

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FREDERICK BANKS,

Plaintiff,

vs.

S.A. ROBERT WERNER, *et al.*,

Defendants.

Case No.: 2:16-cv-01154-GMN-PAL

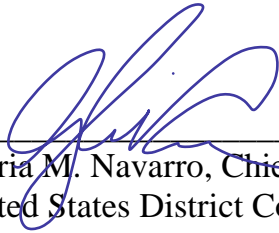
**ORDER ACCEPTING REPORT &
RECOMMENDATION OF MAGISTRATE
JUDGE LEEN**

Before the Court for consideration is the Report and Recommendation, (ECF No. 4), of the Honorable Peggy A. Leen, United States Magistrate Judge, entered August 12, 2016.

Pursuant to Local Rule IB 3-2(a), objections were due by August 29, 2016. No objections have been filed. In accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, the Court has reviewed the record in this case and agrees with Magistrate Judge Leen's recommendation that Plaintiff's Complaint, (ECF No. 1-1), be dismissed without prejudice. Therefore, the Court has determined that Magistrate Judge Leen's Recommendation should be **ACCEPTED** and **ADOPTED** to the extent that it is not inconsistent with this opinion.

IT IS THEREFORE ORDERED that the Report and Recommendation, (ECF No. 4), is **ACCEPTED and ADOPTED in full**. Plaintiff's Complaint, (ECF No. 1-1), is **DISMISSED without prejudice** to Plaintiff's ability to commence a new action in which he either pays the appropriate filing fee in full or submits a completed application to proceed *in forma pauperis*.

DATED this 24 day October, 2016.



Gloria M. Navarro, Chief Judge
United States District Court